

# Constabulary and Police (Administration) (Ireland) Bill.

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## ARRANGEMENT OF CLAUSES.

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B I L L

TO

Improve the Administration of the Royal Irish Constabulary and the Dublin Metropolitan Police, and for other purposes connected with the said Forces.

A.D. 1863.

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

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PART I.

*Royal Irish Constabulary.*

1. The Lord Lieutenant may from time to time by warrant appoint a fit and proper person to be Chief Commissioner for the purposes of this Act, who shall be styled the Chief Commissioner of Royal Irish Constabulary and Police; and who shall hold office during the pleasure of the Lord Lieutenant.

The Chief Commissioner.

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Subject to the Lord Lieutenant, the Chief Commissioner shall be charged with the general superintendence and control of the Royal Irish Constabulary Force and of the Dublin Metropolitan Police Force. Subject as aforesaid, he may from time to time make orders and regulations for the general government, discipline, and administration of the said forces.

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The Chief Commissioner may at any time suspend from his office any officer or man of the Royal Irish Constabulary.

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The first appointment of Chief Commissioner may be made at any time after the passing of this Act, and the date of such appointment is in this Act referred to as the commencement of this Act.

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2. On the commencement of this Act the offices of Inspector General, Deputy Inspector General, and Assistant Inspector General of the Royal Irish Constabulary shall cease to exist.

Abolition of offices in the Royal Irish

[Bill 274.]

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A.D. 1883.

Constabulary  
and transfer  
of powers.

Subject to the provisions of this Act, all the powers and duties of the Inspector General shall thereupon be transferred to and vested in the Chief Commissioner.

In case any person who immediately before the commencement of this Act shall hold any of the offices of Inspector General or Deputy Inspector General or Assistant Inspector General of the Royal Irish Constabulary is not appointed to an office in the Royal Irish Constabulary of which the salary is not less than that paid to him at the time of the commencement of this Act, or in case such person shall refuse such office if tendered to him, he shall be entitled to such superannuation allowance or compensation as the Commissioners of the Treasury shall fix and determine.

In case any such person is appointed to an office in the Royal Irish Constabulary, on his retirement the pension which he is qualified to receive shall, so far as relates to the determination of the proportion of the salary of the office from which he is then retiring which may be granted to him as pension, be calculated in accordance with the provisions of the Acts in accordance with which such pension would have been calculated if the office from which he is retiring were the office held by him at the time of the commencement of this Act.

The said officers shall, so long as they serve in the Royal Irish Constabulary, continue to be justices of the peace as before the commencement of this Act.

Divisional  
commissioners.

3. The Lord Lieutenant may, with the consent of the Commissioners of the Treasury as to numbers, from time to time by warrant appoint so many fit and proper persons as he thinks necessary, not being more than five, to be Divisional Commissioners for the purposes of this Act. Not less than two of the persons first appointed under this Act to be Divisional Commissioners shall be officers serving in the Royal Irish Constabulary at the time of the passing of this Act. The other persons first appointed under this Act to be Divisional Commissioners shall be such persons as the Lord Lieutenant may determine.

Persons subsequently appointed from time to time to fill vacancies among the Divisional Commissioners shall be selected from officers serving in the Royal Irish Constabulary.

Every Divisional Commissioner shall by virtue of his appointment be an officer of the Royal Irish Constabulary, and shall hold office during the pleasure of the Lord Lieutenant.

The Lord Lieutenant may from time to time by order, to be published in the Dublin Gazette, assign a division to each such

Divisional Commissioner, but not so as to include in any of such divisions any part of the Metropolitan Police District of Dublin Metropolis.

A.D. 1823.

The Chief Commissioner may from time to time delegate to each Divisional Commissioner, so far as relates to the Royal Irish Constabulary Force serving for the time being in the division of such Divisional Commissioner, such powers and duties as might be exercised and discharged by the Chief Commissioner under this Act, relative to the general superintendence and control of the same force, and to the holding of courts of inquiry, and to the suspension of any member of the same force.

4. Notwithstanding any enactment assigning two county inspectors to the counties of Cork, Tipperary, and Galway respectively, and one county inspector to every other county in Ireland, the Lord Lieutenant may from time to time, by order to be published in the Dublin Gazette, appoint the district in which each county inspector shall act, and each district may consist of one or more counties or of part or parts thereof. Each such district shall be wholly included within some one of the divisions assigned to a Divisional Commissioner under this Act.

County Inspectors.

5. The Chief Commissioner and each Divisional Commissioner shall, on their appointments, take before any justice of the peace the oaths which justices of the peace are by law required to take, and shall thereupon become and continue to be, so long as they continue to hold office, but no longer, justices of the peace for every county and place in Ireland.

Provision that certain officers shall be ex-officio justices of the peace.

6. The numbers of the various ranks of officers in the Royal Irish Constabulary may be varied from time to time by the Lord Lieutenant, with the consent of the Commissioners of the Treasury.

Variation of numbers of officers.

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## PART II.

### *Dublin Metropolitan District.*

7. From and after the commencement of this Act the offices of Chief Commissioner of the Dublin Metropolitan Police and of Assistant Commissioner of the Dublin Metropolitan Police shall be united, and the officer holding the united office shall be styled Commissioner of the Dublin Metropolitan Police.

The Commissioner of Police.

Subject to the general control of the Chief Commissioner of Royal Irish Constabulary and Police, the Commissioner of the Dublin

[274.]

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A.D. 1883. Metropolitan Police shall, so far as is consistent with the other enactments contained in this Act, discharge the duties and exercise the powers of Chief Commissioner of the Dublin Metropolitan Police and Assistant Commissioner of Dublin Metropolitan Police under the Acts in force at the time of the commencement of this 5 Act, subject, however, to the following provisions :—

- (1.) The Commissioner of Police shall not dismiss any member of the police force of higher rank than a serjeant, unless with the concurrence of the Chief Commissioner.
- (2.) The Commissioner of Police shall not reduce any member 10 of the police force of higher rank than the rank of inspector, unless with the concurrence of the Chief Commissioner.
- (3.) The Commissioner of Police shall not promote any member of the police force to be a superintendent, unless with the concurrence of the Chief Commissioner.
- (4.) The powers conferred by the Acts relating to the Dublin 15 Metropolitan Police upon the Chief or Under Secretary to the Lord Lieutenant relative to the police force shall be transferred to the Chief Commissioner, and shall be exercised by him under the directions of the Lord Lieutenant. 20

6 & 7 Will. 4.  
c. 20.  
ss. 4, 21.

Power to  
hold courts  
of inquiry.

8. The Commissioner of Police, or any other person nominated for that purpose by the Lord Lieutenant, may from time to time examine on oath into the truth of any charges or complaints of neglect or violation of duty, or misconduct in his office, preferred against any member of the force; and for the purpose of such 25 examination the Commissioner or person so nominated shall, with respect to enforcing the attendance of witnesses and all other matters, have the same powers as a divisional justice of the Dublin Metropolitan Police District has when exercising summary jurisdiction in any case triable under the Acts regulating the powers 30 and duties of justices of the peace and of the police in that district.

The receiver  
of the metro-  
politan  
police.  
22 & 23 Vict.  
c. 52. s. 3.

9. From and after the commencement of this Act the union between the offices of Receiver of the Dublin Metropolitan Police, Secretary to the Commissioners of Police, and Supervisor of Taxes shall be determined. 35

The person holding the said offices at the time of the commencement of this Act shall cease to be Receiver; and it shall be lawful for the Commissioners of the Treasury to appoint in his place such person as they think proper to be Receiver of the Dublin Metropolitan Police; and upon any vacancy in that office, by death, 40 removal, or otherwise, to appoint some other person to be Receiver;

and, subject to the enactments contained in this Act, all the provisions of the Acts relating to the Receiver of the said police force shall apply to the person so appointed. A.D. 1883.

### PART III.

#### 5 *Supplementary Provisions.*

10 10. For the purpose of assisting the Chief Commissioner in the execution of this Act, the Lord Lieutenant may from time to time, with the consent of the Commissioners of the Treasury, appoint such officers and such clerks and servants as he thinks necessary. The officers so appointed shall, by virtue of their appointment, become members of the Royal Irish Constabulary. Appoint-  
ments of  
staff.

15 11. In case of the absence or inability to act of the Chief Commissioner or any Divisional Commissioner, or of a vacancy in their offices respectively, the Lord Lieutenant may from time to time nominate some officer of the Royal Irish Constabulary to exercise the powers and perform the duties of such Chief Commissioner or Divisional Commissioner for such period as the Lord Lieutenant may determine. Provision for  
temporary  
substitutes  
to discharge  
duties of  
chief and  
other com-  
missioners.

20 In case of the absence or inability to act of the Commissioner of the Dublin Metropolitan Police, or of a vacancy in his office, the Lord Lieutenant may from time to time nominate the Chief Commissioner, or some other fit and proper person, to exercise the powers and perform the duties of Commissioner of the Dublin Metropolitan Police for such period as the Lord Lieutenant may determine.

25 The person so nominated to act for the Commissioner of the Dublin Metropolitan Police may take before any justice of the peace the oaths which justices of the peace are by law required to take, and shall thereupon become and continue to be, until the termination of his employment in discharging the duties of Commissioner, a justice of the peace for the counties of Dublin, Wick-  
30 low, Kildare, and Meath, and for the county of the city of Dublin.

12. The Lord Lieutenant may nominate not more than three of the officers of the Royal Irish Constabulary to be sworn in as justices of the peace. The officers so nominated shall thereupon  
35 take before any justice of the peace the oath which justices of the peace are by law required to take, and shall become and continue to be, so long as they hold office, but no longer, justices of the peace for every county and place in Ireland. Backing of  
warrants.

A.D. 1883.

It shall be lawful for the Chief Commissioner, or for any Divisional Commissioner, or for any other officer of the Royal Irish Constabulary Force who is by virtue of this Act a justice of the peace for every county and place in Ireland, to back, indorse, and transmit for execution all warrants issued under the Petty Sessions Act (Ireland), 1851, in like manner as the Inspector-General of the Royal Irish Constabulary might do at the time of the commencement of this Act, and thereupon the same may be executed in like manner as warrants backed by the Inspector-General under the said Act. 10

Men of the Royal Irish Constabulary and of the Dublin Metropolitan Police may be sworn in as constables for detective duty.

13. Whenever from time to time any member of the Royal Irish Constabulary is employed in the Dublin Metropolitan Police District on criminal investigation duty, he may, if so directed by the Chief Commissioner, take the oath by law required to be taken by a constable of the Dublin Metropolitan Police; and thereupon he may 15 act as a constable in such district, and shall, so long as he continues to be employed therein, have all the rights, power, and privileges of a constable of the Dublin Metropolitan Police. Whenever from time to time any member of the Dublin Metropolitan Police force is employed on criminal investigation duty in some county other than 20 a county in which he has by law the power of a constable, he may, if so directed by the Chief Commissioner, take the oath by law required to be taken by a constable of the Royal Irish Constabulary, and thereupon he may act as a constable in the county in which he is so employed, and shall, so long as he continues to be 25 employed therein, have all the rights, powers, and privileges of a member of the Royal Irish Constabulary force for the time being serving in that county.

Salaries.

14. The Chief Commissioner and the Divisional Commissioners, and all other officers or persons appointed or employed in accordance 30 with this Act, shall be paid such salaries or allowances, *out of moneys voted by Parliament*, as the Lord Lieutenant may determine, with the sanction of the Commissioners of the Treasury.

Gazette to be evidence.

15. The production of a printed copy of the Dublin Gazette, purporting to be printed and published by the Queen's authority, 35 and containing the publication of any order of the Lord Lieutenant under this Act, shall be conclusive evidence of the contents of such order, and of the date thereof, and that it has been duly made.

Interpretation.

16. In this Act—

The term "Lord Lieutenant" includes the lords justices or other 40 chief governor or governors of Ireland for the time being.

The term "county" includes a county of a city, a county of a town, and city and county. A.D. 1882.

17. This Act may be cited as the Constabulary and Police (Ireland) Act, 1883.